

**EXHIBIT A**

19-2-00986-05  
CMP 4  
Complaint  
7274239



FILED  
CLALLAM CO CLERK  
2019 DEC 18 P 12:37  
NIKIN BOTHERN

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR CLALLAM COUNTY

ADELAIDE MARIE ROMAN,

Plaintiff,

v.

CITY OF PORT ANGELES POLICE  
DEPARTMENT

Defendant.

NO.

19-2-00986-05

AMENDED COMPLAINT FOR  
DAMAGES AND OTHER RELIEF

INTRODUCTION

This action is brought pursuant to common law and RCW 49.60 to redress acts of wrongful discharge, failure to accommodate, retaliation in violation of the Family Medical Leave Act ("FMLA"), and numerous violations of the FMLA. Plaintiff seeks lost pay, benefits and employment opportunities, emotional distress damages, attorneys' fees and costs, injunctive and other relief.

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Record Certification: I Certify that the electronic copy is a correct copy of the original, on the date filed in this office, and was taken under the Clerk's direction and control.  
Clallam County Clerk, by 12 Deputy #pages: 6

AMENDED COMPLAINT FOR DAMAGES  
AND OTHER RELIEF - PAGE 1

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ORIGINAL

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2  
3 **I. JURISDICTION AND VENUE**

4 1. Defendant does business in Clallam County. Plaintiff resides in Clallam County,  
5 and the workplace where the acts complained herein occurred is in Clallam County.

6 2. This court has jurisdiction pursuant to common law and Chapter 49 RCW.

7 **II. PARTIES**

8  
9 3. Plaintiff, Adelaide Marie Roman is a married woman residing in Clallam County,  
10 Washington. At all relevant times, she worked as a Police Records Specialist in Port  
11 Angeles Police Department.

12 4. Defendant, Port Angeles Police Department is a Washington Corporation that  
13 employs more than eight employees and has its principal office in Clallam County,  
14 Washington. It operates a police department in Port Angeles, Washington, where, at all  
15 relevant times, Plaintiff was employed.

16  
17 **III. STATEMENT OF CLAIMS**

18  
19 5. Plaintiff, Adelaide Marie Roman (Adele Roman) worked for Port Angeles Police  
20 Department in the records division for six years. Throughout those years, Plaintiff has  
21 had a sterling performance record before her illness.

22  
23 6. Plaintiff reported frequently to Defendant that her medical condition was affecting  
24 her performance at work, which arose out of her employment with Defendant. Plaintiff  
25 reported the following symptoms to Defendant which included the following, but was not  
26 limit to, blurred vision, chronic headaches, hip pain, right leg, weakness, chronic nausea,

1 dizziness, vertigo, diarrhea, and essential tremor. These symptoms made it increasingly  
2 difficult for Plaintiff to write and type.

3  
4 7. Plaintiff requested FMLA leave from Defendant, which began in December  
5 2018.

6 8. Plaintiff is an eligible employee within the meaning of the FMLA.

7 9. Defendant threatened Plaintiff that if she did not return to work fulltime, she  
8 would lose her job, even though she was still sick and had FMLA leave available.

9  
10 10. Plaintiff went back to work fulltime when she was released by her family  
11 practitioner, but her health did not improve, and her afforded accommodation was  
12 ineffective. During that time, Defendant gave negative evaluations of Plaintiff.

13 11. On information and belief, Defendant described Plaintiff's original evaluation on  
14 2018 as "perfect," then Defendant back-dated a new review for 2018 and 2019 with  
15 negative results.

16 12. On information and belief, the chief of the Police Department, Bryan Smith, told  
17 Human Resources to back-date the review, and the City's attorney told Defendant  
18 employer that she could not say that Plaintiff's work performance had anything to do  
19 with her medical condition. This is despite the fact that Defendant understood that it did.  
20

21 13. On information and belief, Defendant denied Plaintiff's accommodation request  
22 for donated leave due to working part time, and claimed that it did not have an obligation  
23 for accommodation.

24 14. Defendant discriminated, harassed, and retaliated against Plaintiff in violation of  
25 the FMLA and the Washington Law Against Discrimination and subjected her to such  
26

1 intolerable working conditions that she was left with no other option but to constructively  
2 discharge herself.

3 15. Plaintiff timely filed a notice of tort claim to which there has been no response.

4 16. As a result of Defendant's discrimination and other wrongful acts, Plaintiff  
5 suffered and continues to suffer economic damages and severe emotional distress.  
6

7 COUNT I

8 Defendant has discriminated against Plaintiff because of her disability, in  
9 violation of RCW 49.60.180.

10 COUNT II

11 Defendant has retaliated against Plaintiff, in violation of RCW 49.60.210.

12 COUNT III

13 Defendant has interfered with and retaliated against Plaintiff in violation of 29  
14 U.S.C. §2615(a)(1) and (a)(2).  
15

16 COUNT IV

17 Defendant has engaged in wrongful constructive termination in violation of public  
18 policy.  
19

20 WHEREFORE, Plaintiff respectfully requests the following relief:


- 21 A. Back pay and other economic damages;  
22 B. Emotional distress damages;  
23 C. Pre-judgment interest;  
24 D. Reasonable attorney's fees and litigation expenses pursuant to RCW  
25 49.48.030 and/or RCW 49.60.030(3);  
26 E. Injunctive relief;



- 1 F. Tax relief;
- 2 G. Costs;
- 3 H. Such other relief as the Court deems appropriate.
- 4

5 Dated this 16th day of December, 2019.

6  
7 LAW OFFICES OF JUDITH A.  
8 LONNQUIST, P.S.

9   
10 Judith A. Lonnquist, WSBA #06421  
11 Attorney for Plaintiff  
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CERTIFICATE OF SERVICE

I, Morissa Knudsen, an employee of the Law Offices of Judith A. Lonnquist, P.S., declare under penalty of perjury that on the date below, I caused to be served upon the below-listed parties, via the method of service listed below, a true and correct copy of the foregoing document.

Party	Method of Service
Port Angeles City Attorney William Bloor 321 E 5th Street Second Floor Port Angeles, WA 98362  Phone: 360-417-4531 <a href="mailto:wblloor@cityofpa.us">wblloor@cityofpa.us</a>	<input type="checkbox"/> Hand Delivery
	<input type="checkbox"/> Legal Messenger
	<input checked="" type="checkbox"/> Regular Mail
	<input type="checkbox"/> E-served by Court
	<input type="checkbox"/> E-Mail

Dated: December 16, 2019

  
Morissa Knudsen